

REMARKS

Claims 1 and 7 have been amended and Claims 14-17 have been canceled without prejudice or disclaimer. Support for the amendments is found in the specification and claims as filed. Accordingly, the amendments do not constitute the addition of new matter. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested.

Claim Rejection - 35 U.S.C. §103

Claims 1-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Junod (Patent Number 5,854,621) in view of Maeda (Pub. No. US 2004/0005052). This rejection is respectfully traversed.

Claims 14-17 have been canceled without prejudice or disclaimer. Thus, the rejection of these claims should be overcome. Of the remaining rejected claims 1-13, only claims 1 and 7 are independent.

Both amended claims 1 and 7 recite the features “the wireless human transmitting device excludes (or is unequipped with) non-volatile memory” and “the wireless human transmitting device is transmitting at least a packet ... to said wireless human receiving device once power is provided to said wireless human transmitting device...”.

However, Junod in view of Maeda fails to disclose that such features expressly recited in amended claims 1 and 7. In particular, Maeda fails to specify **when** would “code generation unit transmit a packet containing a predetermined identification code...”. Moreover, all embodiments of Maeda are silent about that all “cellular phones (terminal devices)” should be unequipped with non-volatile memory.

Accordingly, the novel features of amended claims 1 and 7 produce new and unexpected results and hence are unobvious and patentable over these references.

In addition, insofar claims 2-6 depend from claim 1 and claims 8-13 depend from claim 7. These claims add further limitations thereto. Thus, claims 2-6 and 8-13 of the present application are also novel and unobvious over the prior art of record. Accordingly, Applicant respectfully submits that the rejections under 35 U.S.C. §103(a) should be withdrawn.

In view of the above amendments and remarks, the pending application should be in condition for allowance. An early Notice of Allowance is earnestly solicited.

Conclusion

For all of the above reasons, applicants submit that the specification and claims are now in proper form, and that the claims define patentably over the cited prior arts. Therefore applicants respectfully request issuance for this case at the USPTO's earliest convenience.

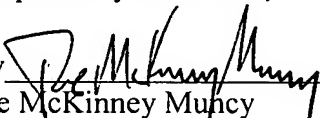
This amendment should overcome the 103 rejection and therefore simplify the issues for Appeal. Thus, it is requested that this amendment be entered for the purposes of Appeal if an Appeal is necessary. However, because the single outstanding rejection should now be overcome, an Appeal should be unnecessary and this application should be in condition for Allowance. Again, an early Notice of Allowance is requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joe McKinney Muncy Reg. No. 32,334 telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: December 26, 2007

Respectfully submitted,

By 
Joe McKinney Muncy
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant